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Attorneys for Plaintiff and [Proposed] Substituted Plaintiff
 THE RETIREMENT PLAN FOR PHYSICIANS AND
 SALARIED EMPLOYEES OF THE PERMANENTE
 MEDICAL GROUP, INC. and THE PERMANENTE
 MEDICAL GROUP, INC.

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE RETIREMENT PLAN FOR
 PHYSICIANS AND SALARIED
 EMPLOYEES OF THE PERMANENTE
 MEDICAL GROUP, INC.,

Plaintiff,

v.

LINDY L. MARK,

Defendant.

No. C06 3890 MJJ

**STIPULATION AND [PROPOSED]
 ORDER FOR FILING OF AMENDED
 COMPLAINT**

STIPULATION

Pursuant to Federal Rules of Civil Procedure 15(a) and 21, the parties stipulate as follows:

1. The Retirement Plan for the Physicians and Salaried Employees of the Permanente Medical Group, Inc. (the "Plan") filed this action on June 22, 2006.
2. On July 11, 2006, Defendant Lindy Li Mark's attorney, Michael Low, properly accepted service of the Summons and Complaint in this action on her behalf. He executed a Notice and Acknowledgement of Receipt of Summons and Complaint on July 24, 2006.
3. The parties now agree that The Permanente Medical Group, Inc. ("TPMG") may

1 be substituted for the Plan as the Plaintiff in this action.

2 4. The parties hereby stipulate that a First Amended Complaint, a copy of which is
3 attached hereto, naming TPMG as the Plaintiff in this action may be filed with the Court.

4 5. The parties further stipulate that, as provided by Federal Rule of Civil Procedure
5 15(a), Defendant Mark shall plead in response to the First Amended Complaint within the time
6 remaining for response to the original pleading or within ten (10) days after the First Amended
7 Complaint is filed with the Court, whichever period may be the longer.

8 DATED: August 11, 2006

HANSON BRIDGETT MARCUS
9 VLAHOS & RUDY, LLP

10 By: 

11 RAYMOND F. LYNCH
12 CHRISTINA A. LUINI
13 Attorneys for Plaintiff and [Proposed]
14 Substituted Plaintiff
15 THE RETIREMENT PLAN FOR
16 PHYSICIANS AND SALARIED
17 EMPLOYEES OF THE PERMANENTE
18 MEDICAL GROUP, INC. and THE
19 PERMANENTE MEDICAL
20 GROUP, INC.

21 DATED: August 14, 2006

YOUNGMAN, ERICSSON & LOW LLP

22 By: 

23 MICHAEL LOW
24 Attorneys for Defendant
25 LINDY L. MARK

26 **PROPOSED ORDER**

27 Pursuant to the parties' stipulation, a First Amended Complaint naming The Permanente
28 Medical Group Inc. as the Plaintiff in this action may be filed with this Court. Defendant Lindy
Mark shall plead in response to this First Amended Complaint within the time remaining for
response to the original pleading or within ten (10) days after the First Amended Complaint is

1 filed with the Court, whichever period may be the longer.

2 PURSUANT TO STIPULATION, IT IS SO ORDERED.

3
4 Dated: August 22, 2006


HON. MARTIN J. JENKINS
United States District Judge